

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

BLUEFIELD DIVISION

RAYNARD L. McKINNEY,

Plaintiff,

v.

JO ANNE BARNHART,
Commissioner of Social Security,

Defendant.

CIVIL ACTION NO. 1:04-0300

JUDGMENT ORDER

The Court has considered the Plaintiff's Motion to Consolidate and Motion for Judgment on the Pleadings (Document Nos. 13 and 14.) and the Defendant's Motion for Judgment on the Pleadings (Document No. 20.) in this case and has determined that the Plaintiff's Motions should be denied and the Defendant's Motion for Judgment on the Pleadings should be granted. Accordingly, it is hereby **ORDERED** as follows:

- (1) Plaintiff's Motion to Consolidate (Document No. 13.) is **DENIED**;
- (2) Plaintiff's Motion for Judgment on the Pleadings (Document No. 14.) is **DENIED**;
- (3) Defendant's Motion for Judgment on the Pleadings (Document No. 20.) is **GRANTED**;
- (4) The final decision of the Commissioner is **AFFIRMED**; and
- (5) This action is **DISMISSED** from the docket of this Court.

The Clerk is directed to provide copies of this Order to all counsel of record.

ENTER: April 29, 2005.


R. Clarke VanDervort
United States Magistrate Judge

ENTERED

APR 29 2005

TERESA L. DEPPNER, CLERK
U.S. District & Bankruptcy Courts
Southern District of West Virginia